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McNair Law Firm, P.A.

ATTORNEYS AND COUNSELORS AT LAW

ROBERT T BOCKMAN bbockman@mcnair.net

THE TOWER AT 1301 GERVAIS 1301 GERVAIS STREET COLUMBIA, SOUTH CAROLINA 29201 www.mcnair.net

POST OFFICE BOX 11390 COLUMBIA, SOUTH CAROLINA 29211 TELEPHONE (803)799-9800 FACSIMILE (803) 753-3219

March 20, 2007

HAND DELIVERY

MAR 2 0 2007

11.22.00

The Honorable Charles L.A. Terreni Chief Clerk/Administrator South Carolina Pubic Service Commission 101 Executive Center Drive., Suite 100 Columbia, SC 29210

Date: 3/21/07

Time: 4.35

RE: Petition of the Office of Regulatory Staff for a Declaratory Order Against Stan Brown d/b/a Water Head, LLC Requiring Certification as a Water Utility and the Posting of a Performance Bond (Docket No. 2007-64-WS)

Dear Mr. Terreni:

Please find enclosed the original and ten (10) copies of the Return of Stan Brown d/b/a Water Head, LLC, to the Petition of the Office of Regulatory Staff in this proceeding. Please stamp the copy of the Return as "received" by your office and return it to our courier.

By copy of this letter, and as indicated on the Certificate of Service, I have caused a copy of the Return to be served on counsel for the Office of Regulatory Staff.

If you have any questions with respect to this matter, please do not hesitate to contact me.

Very truly yours,

Robert T. Bockman

RTB/yms

Enclosures

cc: Wendy B. Cartledge, Esquire (w/ enc.)

RECEIVED

MAR 2 0 2007

PSC SC DOCKETING DEPT.

BEFORE

THE PUBLIC SERVICE COMMISSION OF SOUTH CAROLINA



DOCKET NO. 2007-64-WS

IN RE: Petition of the Office of Regulatory)
Staff for a Declaratory Order) RETURN TO PETITION OF THE
Against Stan Brown d/b/a) OFFICE OF REGULATORY STAFF
Water Head, LLC Requiring) FOR AN ORDER REQUIRING
Certification as a Water Utility) CERTIFICATION AS A WATER
And the Posting of a Performance) UTILITY AND THE POSTING OF A
Bond.) PERFORMANCE BOND
)

Stan Brown d/b/a Water Head, LLC, ("the Respondent"), by and through its undersigned counsel, submits this Return to the Petition of the Office of Regulatory Staff ("ORS") for an Order Requiring Certification as a Water Utility and the Posting of a Performance Bond, dated February 21, 2007. In reply to the allegations of the Petition of the ORS, the Respondent would respectfully state:

- 1. Each and every allegation of the Petition which the Respondent does not admit should be deemed expressly denied.
 - 2. The Respondent admits the allegations of Paragraph 1 of the Petition.
 - 3. The Respondent admits the allegations of Paragraph 2 of the Petition.
- 4. The Respondent admits the allegations of Paragraph 3 of the Petition. Furthering answering Paragraph 3, the Respondent states that its collection of rates and charges for the water services that it provides was intended to permit it to recover the costs of operation, maintenance and improvements for the water system for the users at the Rock at Jocasee subdivision and not to avoid any regulatory responsibility or obligation that the Respondent might have under South Carolina law.

5. The allegations of Paragraph 4 of the Petition are statements of law for which no

reply is necessary.

6. The Respondent admits the allegations of Paragraph 5 of the Petition.

7. The allegations of Paragraph 6 of the Petition are statements of law for which no

reply is necessary.

8. Answering the allegations of Paragraph 7 of the Petition, the Respondent states

that it would not contest either the conduct of the inquiry which the ORS seeks in this proceeding

or the exercise of the jurisdiction of the South Carolina Public Service Commission

("Commission") should the Commission determine that the Respondent's operations are those of

a "public utility," as defined by South Carolina law.

WHEREFORE, the Respondent prays unto this honorable Commission:

1. To undertake its inquiry as the ORS seeks in this proceeding; and

2. For such other and further relief as is just and proper.

Respectfully submitted,

Robert T. Bockman

McNair Law Firm, P.A. Post Office Box 11390

Columbia, South Carolina 29211

(803) 799-9800

By: Kulut 1. Bock

March **20**, 2007

Columbia, South Carolina

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BEFORE

THE PUBLIC SERVICE COMMISSION

MAR 2 0 2007

OF SOUTH CAROLINA

DOCKET NO. 2007-64-WS

IN RE:	Petition of the Office of Regulatory)	
	Staff for a Declaratory Order)	
	Against Stan Brown d/b/a)	
	Water Head, LLC Requiring)	CERTIFICATE OF SERVICE
	Certification as a Water Utility)	
	And the Posting of a Performance)	
	Bond.)	
)	

I, Yvonne M. Sodowsky, do hereby certify that I have on this date served one (1) copy of the Return to Petition of the office of Regulatory Staff for an Order Requiring Certification as a Water Utility and the Posting of a Performance Bond on the following counsel of record by causing said copy to be deposited with the United States Postal Service first class postage prepaid and affixed thereto, and email as indicated below:

Wendy B. Cartledge, Esquire State of South Carolina Office of Regulatory Staff P.O. Box 11263 Columbia, SC 29211

Yvanne M. Sodowsky, Legal Assistant

McMair Law Firm, P.A. Post Office Box 11390

Columbia, South Carolina 29211

(803) 799-9800

March 20, 2007 Columbia, South Carolina